

Amendments to the Claims:

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A construction machine comprising:

a first variable displacement hydraulic pump and a second variable displacement hydraulic pump that are driven by a prime mover;

a single traveling actuator driven with pressure oil discharged from the first variable displacement hydraulic pump;

a plurality of work actuators driven with the pressure oil discharged from at least one of the first variable displacement hydraulic pump and the second variable displacement hydraulic pump;

a plurality of control valves that control flows of the pressure oil from the first variable displacement hydraulic pump and the second variable displacement hydraulic pump to each of the traveling actuator and the plurality of work actuators;

a traveling command detection device that detects a drive command for the traveling actuator;

a work command detection device that detects a work command for an actuator for a work front attachment among the plurality of work actuators; and

a flow rate control device that increases a maximum flow rate of the first variable displacement hydraulic pump ~~when the drive command for the traveling actuator is detected with the detection device, wherein:~~ wherein

the flow rate control device comprises a displacement angle control device that adjusts a maximum displacement angle of the first variable displacement hydraulic pump, and ~~increases the maximum displacement angle~~

when the drive command for the traveling actuator is detected with the traveling command detection device and the work command is not detected with the work command detection device, the displacement angle control device sets the maximum displacement angle that is larger than the maximum displacement angle set when both the drive command and the work command are detected, larger than and the maximum displacement angle set when the drive command is not detected.

2. (Currently Amended) A construction machine ~~according to~~ of claim 1, ~~wherein:~~ wherein the construction machine is a wheeled hydraulic excavator.

3. (Currently Amended) ~~A construction~~ The construction machine ~~according to~~ of claim 2, ~~wherein:~~ wherein the work actuators include the actuator for the work front attachment and a revolving actuator that revolves a revolving superstructure, the actuator for the work front attachment including a boom actuator that drives a boom, an arm actuator that drives an arm, and a work tool actuator that drives a work tool; and

the control valves include a traveling control valve that controls a flow of the pressure oil to the traveling actuator, a revolving control valve that controls a flow of the pressure oil to the revolving actuator, a boom control valve that controls a flow of the pressure oil to the boom actuator, ~~and an~~ and arm control valve that controls a flow of the pressure oil to the arm actuator, and a work tool control valve that controls a flow of the pressure oil to the work tool actuator.

4. (Currently Amended) ~~A construction~~ The construction machine ~~according to~~ of claim 3, ~~further comprising:~~ comprising a spare control valve.

5. (Currently Amended) ~~A construction~~ The construction machine ~~according to~~ of claim 4, ~~further comprising:~~ comprising a pair of crawler travel actuators that drive a pair of crawlers respectively, wherein:

the traveling control valve and the spare control valve control flows of the pressure oil to the pair of the crawler travel actuators respectively.

6. (Canceled)

7. (Currently Amended) ~~A construction~~ The construction machine according to ~~of claim 1, wherein:~~ wherein the flow rate control device further comprises a rotation speed control device that controls a rotation speed of the prime mover, and increases the rotation speed of the prime mover as well as increasing the maximum displacement angle of the first variable displacement hydraulic pump when the drive command for the traveling actuator is detected with the traveling command detection device.

8-9. (Canceled)

10. (Currently Amended) ~~A construction~~ The construction machine according to of claim 7, further comprising:

a travel pedal that is operated to drive the traveling actuator;

a target rotation speed calculation unit for traveling that calculates a first target rotation speed of the prime mover which is set suitable for traveling in accordance with an extent to which the travel pedal is operated; and

a target rotation speed calculation unit for working that calculates a second target rotation speed of the prime mover which is set suitable for working in accordance with an extent to which the travel pedal is operated, ~~wherein:~~

a maximum value of the first target rotation speed for the traveling is set greater than a maximum value of the second target rotation speed for working.

11. (Currently Amended) ~~A construction~~ The construction machine according to of claim 10, further comprising:

~~a work command detection device that detects a work command for the plurality of work actuators to operate a front attachment, wherein:~~

the rotation speed control device controls the rotation speed of the prime mover to the second target rotation speed for working when the work command for the plurality of work actuators is detected with the work command detection device.